

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jane C. Hirsh *et al.*

Application No.: 10/565,346

Confirmation No.: 1923

Filed: October 4, 2004

Art Unit: 1616

For: TOPICAL AEROSOL FOAMS

Examiner: M. Haghighatian

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby bring to the Examiner's attention the references listed on the accompanying form PTO-1449 in compliance with the requirements of 37 C.F.R. § 1.56 and 1.97(c). Pursuant to 37 C.F.R. § 1.98(2)(ii), Applicants have not enclosed copies of the cited U.S. patents or published applications. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. The listed publication dates, however, should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Please charge the required fee of \$180.00 as prescribed in 37 C.F.R. § 1.17(p) or any additional fee occasioned by this paper to our **Deposit Account No. 06-1448, Reference No. CPX-015.01.**

Dated: June 15, 2010

Respectfully submitted,

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